IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1684 OF 2006
IN
CIVIL WRIT PETITION NO.1617 OF 2006.

The Incharge Head Master
Shri Babasaheb Sahaeblal Mujawar
Secondary & Higher SEcondary School
And Ors ..Applicant.

V/s
Shri Basaveshar Education Society
And others ..Respondents.

Mr. Shrishail Sakhare for the applicants.

CORAM : B.H. MARLAPALLE &
J.H. BHATIA, JJ.

DATE : 1ST DECEMBER, 2006.

P.C.

. The applicants pray for vacating the interim order passed in Writ Petition No.1617 of 2006 on 7/4/2006.

2. Admittedly, the Assistant Charity Commissioner, Solapur, Region Solapur has framed a scheme for the administration of the original petitioner trust i.e. Basweshwar Education Society as per the order dated 14th November, 2006 and the new board of trustees consisting

of 15 members has been constituted.

3. Needless to mention that the new board of trustees will take appropriate decisions regarding appointments and confirmation as we well on other matters pertaining to such trust and therefore, the interim relief prayed for in the original petition in terms of prayer clause (d) and (e) does not survive any further.

4. Hence, the application is allowed and the ad interim relief granted on 7/4/2006 in terms of prayer clause (d) is hereby vacated by taking into consideration the order passed by the Assistant Charity Commissioner.

(J.H. BHATIA, J.) **(B.H. MARLAPALLE, J.)**